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## **Kuwait**

# **Food and Agricultural Import Regulations and Standards**

## **1998**

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### **Report Highlights:**

**Kuwait enforces food shelf-life standards on 44 food products and recognizes manufacturer set standards for other products. Arabic labels are required, although Arabic stickers on the original labels are accepted. There are no import quotas or other non-tariff barriers. There are no import duties on food products in Kuwait.**

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## KUWAIT: FOOD IMPORT REGULATIONS

Last Updated: December 23, 1997

**DISCLAIMER:** This report has been prepared by the Agricultural Trade Office of the USDA/Foreign Agricultural Service in Dubai, UAE for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, the information provided may be dated, as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.**

### 1. GENERAL FOOD LAWS

Kuwait is a member of the Gulf Cooperation Council (GCC) which also includes Bahrain, Oman, Qatar, the United Arab Emirates and Saudi Arabia. GCC member states are working hard to harmonize food import standards, including label and shelf-life regulations.

A significant step towards regulatory harmonization came with the issuance of Gulf Standard (GS) 150/1993, Part I, under which a number of regional food shelf-life standards were established.

On January 5, 1997, Kuwait's Ministry of Commerce and Industry issued Ministerial Decree (MD) 146/1996, recognizing GCC shelf-life standards for 44 out of the 75 products covered under GS 150/1993, Part I. As of July 5, 1997 these new standards were enforced. (See Appendix A for a list of the products covered under MD 146.)

As of September 1998, Kuwait Municipality started to accept a shelf-life of 6 months for fresh table eggs instead of 3 months stipulated in MD 146. This is of particular interest to U.S. suppliers who considered the 3 month shelf-life condition difficult to meet.

Kuwait will continue to recognize manufacturer-recommended shelf-life durations for those food products not covered under MD 146/1996. Many Kuwaiti importers, however, require that all food products fully comply with GCC shelf-life standards, even those products not covered under MD 146/1996. In any case, a product will be barred from entry if more than half of its shelf-life has elapsed at the time of arrival to Kuwait.

Trade contacts report that Kuwaiti officials are willing to work with companies to ensure that food and agricultural imports are not disrupted. For example, officials are willing to approve food labels prior to product export. Pre-export approval can significantly speed import clearance, particularly for new-to-market products and brands.

The Department of Standards and Metrology, Public Authority for Industry (PAI), in cooperation with other concerned departments, including the Kuwait Municipality (KUM), the Ministry of Public Health (MOPH), the Public Authority for Agricultural Affairs and Fish Resources (PAAFR) and the Kuwait Institute for Scientific Research (KISR), is responsible for establishing local food safety regulations. Regulations become law only after they are officially announced in a ministerial decree and published in the official gazette of Kuwait. Usually, a grace period of up to six months is granted prior to enforcement of any new regulations.

Regulatory enforcement is divided between the KUM, MOPH and PAAFR. The Food Department of the KUM is responsible for visually inspecting all imported food products, verifying compliance with label regulations and drawing samples for laboratory analysis by the MOPH. In general, new-to-market products and products that have failed past inspections are subjected to thorough inspection. Laboratory testing may take 7-10 days depending on the type of tests required.

Compliance disputes are handled by a committee comprised of representatives from the KUM, MOPH, PAI, PAAFR and the Chamber of Commerce and Industry. The committee determines the validity of a complaint and can order re-inspection if found to be warranted. Trade contacts report that consignments with minor labeling infractions may be granted a one-time waiver provided the products are found to be completely safe for human consumption.

Live animals and plants, feedstuffs and horticultural products are inspected at the port of entry by the PAAFR, which decides if quarantine is warranted. Feedstuffs samples are routinely analyzed at a special PAAFR laboratory.

To facilitate entry, suppliers are strongly encouraged to work closely with their local importer to obtain pre-export approval for labels, particularly for new-to-market products, and to ensure that their products meet all local import regulations.

## 2. LABELING REQUIREMENTS

Label regulations are contained in Kuwait Standard (KS) 42/1973, which is identical to GS 9/1984. Under KS 42, food labels must include the following information, in Arabic, on the original label or primary packaging:

- Product and brand name
- Country of origin
- Ingredients, in descending order of proportion
- Additives
- Origin of animal fat (e.g., beef fat), if applicable
- Net content in metric units (volume in case of liquids)
- Production and expiry dates (English only is also permitted, as is Arabic/English)
- Manufacturer's and/or packer's name and address
- Special storage, transportation and preparation instructions, if any.

Bilingual labels are permitted, provided one of the languages is Arabic (e.g. Arabic/English). Arabic language stickers are permitted in lieu of original Arabic or bilingual labels, provided the sticker: 1) is extremely difficult to remove; 2) includes all required label information; 3) does not cover required information on the original label; and 4) does not contradict information on the original label. In fact, local officials consider such stickers to be labels.

Production and expiry (P/E) dates must be engraved, embossed, printed or stamped directly onto the original label or primary packaging at the time of production, using indelible ink. As noted above, these dates may be printed in English only, Arabic only or English/Arabic. These dates may not be printed on a sticker. U.S. bar coding is not permitted in lieu of P/E dates and a label may not contain more than one set of P/E dates. The dates must be printed in digit form (no text is permitted) in the following order, depending on the shelf-life of the product:

- Day/month/year for products with a shelf-life of 6 months or less;
- Month/year for products with a shelf-life longer than 6 months.

For example, 1/1/96 is permitted for a product with a shelf-life of 6 months or less; 1/JAN/96 is not.

Since September 1998, Kuwait Municipality has required that all P/E dates for food products include all 4 digits for the year rather than 2 digits as accepted in the past. However, as most food suppliers can not comply, this regulation is not strictly enforced.

As noted earlier, Kuwait enforces GCC shelf-life standards for 44 food products and recognizes manufacturer-established shelf-life standards for all other food products. Importers, however, are increasingly requiring exporters to comply with all GCC shelf-life standards, even those not officially enforced by Kuwaiti officials.

All speciality food products, such as diet, health and infant foods and artificial sweeteners must be pre-registered with the Nutrition Unit of the Ministry of Public Health. Labels for these products must contain detailed information about ingredients (e.g., vitamins, minerals, supplements, food colors, preservatives, etc.), nutritive value per 100 grams, health warnings if any, and instructions for proper use and storage. The U.S. nutritional panel is permitted.

Speciality food products must be displayed separately from other foods in retail outlets, in well-marked locations. Media advertising for these products requires prior approval from the MOPH.

Products shipped in bulk or institutional-sized containers must comply with all label requirements. P/E dates, however, are not required for certain products including fresh fruits and vegetables, fresh bakery items and products deemed to have extremely long shelf-life durations, such as salt and sugar. Production dates are recommended, however, for these products and often are requested by an importer. Products arriving clearly marked as samples not intended for sale, are exempt from labeling regulations.

### 3. FOOD ADDITIVES

In general, local regulations governing the use of food additives are based on Codex Alimentarius standards. According to trade contacts, rarely is a U.S. food product rejected by Kuwaiti officials due to the unauthorized use of an additive.

Color additives are regulated under KS 214/1985, which is identical to GS 23/1984. Under this standard, the common name and index number of all food color additives contained in a product, must be noted on the product label. European "E" numbers are permitted. (See Appendix B for a list of color additives currently approved by Kuwait).

Other food additives such as preservatives, flavorings, antioxidants and emulsifiers are regulated under KS 147/1994, which is identical to the Codex Alimentarius standards.

### 4. PESTICIDE AND OTHER CONTAMINANTS

Local regulations governing pesticide and other contaminant residue levels are based on Codex Alimentarius standards. Specifically, KS 514/1994 regulates pesticide and other contaminant residues in food products.

## 5. OTHER REGULATIONS AND REQUIREMENTS

All food consignments must be accompanied by a health certificate issued by the appropriate government agency in the country of origin, attesting to the product's fitness for human consumption. In addition, all meat and poultry products must be accompanied by an Islamic (Halal) slaughter certificate issued by an approved Islamic center in the country of origin.

Inspection officials routinely check for salmonella in poultry products. A shipment will be rejected for import if salmonella is detected in more than 20 percent of the tested samples.

The importation of alcoholic beverages and pork, and food products containing alcohol or pork, is prohibited. Non-alcoholic beer is also banned. In addition, it is prohibited to import a product with a label containing a picture of alcohol or pork, or a recipe requiring these products even though the imported product is free of these ingredients.

There are no special packaging or container size requirements for food products.

The importation of irradiated food products is permitted, but the product's label must clearly indicate that the product has been irradiated.

Local food safety inspectors randomly check food products already in the market. In addition to visually inspecting labels, samples are taken and analyzed to ensure that product ingredients match those listed on the label. These inspections are conducted without the knowledge of the importer. If a discrepancy is found, the importer is informed and the product removed from the market and destroyed at the importer's expense.

If the infraction is severe (e.g. traces of pork are found) or an importer has been found to have intentionally altered or falsified a product's label, the product may be banned from import for a specified period of time, usually six to twelve months.

## 6. OTHER STANDARDS

There are no special requirements regulating the import of food samples. Samples destined for food shows and other types of promotional events are exempt from local label and shelf-life regulations. Such shipments, however, must still be accompanied by a health certificate, as well as an invoice noting that the product is not for sale and has no commercial value.

## 7. COPYRIGHT/TRADEMARK LAWS

Kuwait is in the process of strengthening its intellectual property right laws. In the meantime, a 1995 ministerial decree offers some protection. Brand registration is recommended to protect both the importer and foreign supplier against parallel imports and copycat labels. The trademarks section of the Ministry of Commerce and Industry (MOCI) is responsible for product registration which usually can be completed within a short period of time.

Agency agreements are regulated by Commercial Law 68/1980 and Commercial Law 36/1964.

## 8. IMPORT PROCEDURES

Shuwaikh port in Kuwait City and Shuaiba port about 25 miles south of the city are the primary ports for the importation of food products. Both ports boast state-of-the-art equipment. Most fresh and chilled products are imported via Kuwait International Airport, located a short distance from Kuwait City.

While it can require as little as 2-3 days to clear a consignment through customs, health clearance can take 7-10 days, due to laboratory testing. Fresh products, however, are usually cleared within 24 hours of arrival. Once customs clearance is obtained, an importer can elect to store a consignment in his own warehouse under bond, pending health clearance.

The following documents are required for food imports:

- Commercial invoice
- Packing list
- Bill of Lading
- Health certificate
- Halal slaughter certificate (for meat and meat products)
- Certificate of Origin

The Halal and country of origin certificates must be notarized by both a local Arab Chamber of Commerce and a Kuwaiti diplomatic mission in the exporting country. If the latter is not present, another Arab diplomatic mission, except Iraqi or Jordanian, is acceptable.

A consignment rejected because it is unfit for human consumption must be re-exported (but not to another GCC country), or destroyed by local authorities, normally within six months of arrival.



As noted earlier, an importer may appeal the rejection of a shipment to a special committee comprised of representatives from various government ministries. If after additional testing, the consignment is again rejected, the appeal is closed. If, however, the consignment is determined fit for human consumption, a third round of tests will be conducted to verify these results. If the results are unchanged, the shipment is released. If the results are negative, the shipment is rejected and the appeal closed. An importer may store a consignment in his own warehouse under bond, pending the outcome of an appeal.

Products rejected for minor labeling infractions may be allowed entry upon appeal. Trade contacts report that new-to-market and ethnic food products are normally allowed entry on a one-time basis, despite minor labeling infractions. Infractions of production/expiry date regulations (e.g., missing or incorrectly printed dates or dates printed on stickers rather than original labels/packaging) will result in the rejection of the shipment.

There is no import duty on food products. (The import duty on most non-food items is four percent.)

## 9. APPENDICES

### APPENDIX A. SHELF-LIFE STANDARDS

Kuwait enforces GCC shelf-life standards for the following food products. The shelf-life durations for these products are contained in GS 150/1993, Part I, a copy of which should be available from The Office of Food Safety and Technical Services (OFSTS), International Trade Policy (ITP) Division, Foreign Agricultural Service (FAS), U.S. Department of Agriculture (USDA), Telephone: (202) 720-9408, Fax: (202) 690-0677.

- (1) Frozen foods (stored at temperatures not exceeding -18C): ice cream; fruits; french fries; eggs.
- (2) Chilled foods (stored at temperatures from 0-5C): Yogurt and flavored yogurt; heat treated yogurt; processed cheese; butter; margarine.
- (3) Packaged products that are stored at suitable temperatures in well ventilated stores: canned meat; canned seafood; evaporated milk; full cream dried milk; processed cheese; dried fruit juices; jams, jellies and marmalades in cans or glass jars; hot sauces; pickles; breakfast cereals such as corn, wheat, rice flakes, etc.; dried milk-based baby foods; fruit juices for babies; powdered or granulated baby foods prepared from cereals, legumes, fruits or vegetables, etc.; cocoa powder in metallic, glass or aluminum foil containers, packed under vacuum or inert gas; ground roasted coffee; instant coffee; cake mixes; flour; macaroni (pasta products); all kinds of starch; plain hard candies; enriched, fortified hard candies; powdered soups; all kinds of vinegar; brown sugar; Halawa Tehiniah (an Arabic sweet); Tehina (sesame oil emulsion).
- (4) Food products that require specific storage temperatures: fresh beef and buffalo meat; fresh mutton and goat meat; vacuum packed fresh meats; stuffed or covered biscuits in metallic cans; flour; mayonnaise; fresh eggs (table eggs), stored at 4-10C; all kinds of chocolates.

Kuwait will continue to recognize shelf-life durations as set by manufacturers for those products not listed above. Suppliers are encouraged to work closely with their importers to ensure that their products comply with all local import requirements. Products must arrive in Kuwait before half of their shelf-life is elapsed.

**APPENDIX B. LIST OF PERMITTED FOOD COLORS**

The following is a list of food colors, natural and artificial, permitted in Kuwait:

**A. Natural Food Colors**

Color/Description	Color Index Number
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**Red to Yellow Colors**

Annato extracts	75120
Beta Carotene	75130
Beta-apo-8-carotenal	40820
Beta-po-8-carotenoic acid	40825
Canthaxanthin	40850
Carrot oil	None

**Red to Purple Shade**

Enocianina	None
Beet powder	None
Paprika	None

**Orange and Yellow Colors**

Saffron	75100
Turmeric powder	75300
Curcumin	75300
Turmeric oleoresin	None
Riboflavin	None

**Green Colors**

Chlorophyll	75810
Chlorophyll copper complex	75810

## Brown Colors

Caramel, plain	None
Caramel, made by ammonium sulfite	None

## Black Color

Cottonseed flour, roasted, partially defatted	None
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## Inorganic colors

Titanium dioxide	77891
Iron oxides	77489
Gold	77480
Aluminum	77000
Silver	77820

## Other colors

Fruit juices	None
Vegetable juices	None

## B. Artificial Food Colors

## Red Colors

Azorubine (Carmoisine)	14720
Erythrosine	45430
Ponceau 4R	16255
Red 2G	18050
Red 40 (Allura Red 17	16035

## Yellow Colors

Sunset yellow FCF	15985
Tatrazine	19140
Quinoline yellow	47005

Brown Color

Chocolate brown HT                      20285

Green Color

Fast green FCF                              42053

Blue Colors

Indigotin (Carmines indigo)              73015

Brilliant blue FCF                          42090

Black Color

Brilliant black FCF                          28440

## APPENDIX C. REGULATORY AGENCIES/USEFUL CONTACTS

Name/Address	Field of Speciality
Mr. Youssef Shehab Al-Baher Assistant Director General for Standards and Metrology Public Authority for Industry P.O. Box 2944 Safat 13030 Kuwait Phone: (965) 241-3821 Fax: (965) 243-6638	Food safety and other standards
Mr. Ahmad M.A. Ahmad Director Department of Standards and Metrology Public Authority for Industry P.O. Box 2944 Safat 13030 Kuwait Phone: (965) 246-5103 Fax: (965) 243-6638	Food safety and other Standards
Dr. Sultan A. Sultan Al-Khalaf Deputy Director General for Animal Resources Public Authority for Agricultural Affairs and Fish Resources P.O.Box 21422 Safat 13075 Kuwait Phone: (965) 476-5038/26 Fax: (965) 472-389	Livestock and Pet import regulations and inspection
Dr. Zamzam A. Al-Mousa Head of Nutrition Unit Ministry of Public Health P.O. Box 35565 Shaab 36056 Kuwait Phone: (965) 245-0742; 245-0716/8/9 Fax: (965) 245-0743	Infant and special food regulations
Dr. Siham Al-Mufti Director of Public Health Laboratories Ministry of Public Health P.O.Box 35699 Shaab 36057 Kuwait Phone: (965) 265-3631 Fax: (965) 265-3483	Analysis of imported food products

Dr. Mohammed Al-Muhanna                      Livestock and pet import  
Director of Animal Health Dept.              regulations and inspection  
Public Authority for Agriculture  
Affairs and Fish Resources  
P.O.Box 21422 Safat  
13075 Kuwait  
Phone: (965) 471-7123 Fax: (965) 473-9052

Mr. Jemaan Al-Hajery                              Food import regulations  
Manager    and inspection  
Food Department  
Kuwait Municipality  
P.O. Box 10 Safat  
13001 Kuwait  
Phone: (965) 575-5318; 572-7518 Fax: (965) 573-5144

Mr. Mohammad Abdul Mohsen Al-Refai      Livestock and  
Chairman of the Board and                      horticultural products  
Director General                                  import regulations and  
Public Authority for Agricultural inspection  
Affairs and Fish Resources  
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13075 Kuwait  
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Non-government

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